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STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
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**Senate Bill 1089 (As Introduced)**

**Topic:** Second Hand and Junk Dealers  
**Sponsor:** Senator Gleason  
**Co-sponsors:** None  
**Committee:** Senate Economic Development and Regulatory Reform

**Date Introduced:** February 13, 2007

**Date of Summary:** February 26, 2008

The bill amends several sections of Public Act 350 of 1917. Licensure of second hand and junk dealers by the Department of Labor & Economic Growth would be required in a county, city, or village that has not adopted an ordinance providing for their licensure. The department's responsibilities would be limited to processing applications for initial or renewal licensure. Administrative, civil, or criminal proceedings regarding licensees are considered to be within the jurisdiction of the county, city, or village. The department may request that the Attorney General proceed against a licensee. The department may promulgate rules to enforce and administer the licensing requirements. A license may not be issued to an applicant not demonstrating an actual location in which business is proposed to be conducted. A fee of not more than \$50 is provided to the department in issuing the license. An initial application of \$50 may also be charged to cover the cost of processing the application.

The bill contains a long list of "construction materials", including catalytic converters, and a list of metals which are subject to the act's provisions. Within 24 hours after a request from local law enforcement, a licensee is required to provide a copy of seller documentation. Payment for items may be made only by check or electronic payment. The amount, weight, and number of articles in each transaction is added to the required weekly report to local law enforcement. The buying or selling stolen construction materials that a licensed dealer has reason to believe have been unlawfully removed from a building or house would be subject to the felony penalties in the act.

There are two enacting sections. Archaic language in Section 6 permitting a person without a place of business and operating from a wagon to operate differently is repealed. The revised provisions in Section 5 take effect 90 days after enactment. There is no specific effective date provided in the bill for the revised licensing provisions in Section 1 (2).